

always occurs in accountability and disclosure bills, that is that we begin to write our favorite rules into whatever open door or opportunity is given us on the floor of the Legislature. If the DeCamp amendment stays in, I understand that there is another set of amendments that will be offered. I would suggest to you that we can start the accountability and disclosure shuffle that we have some experience with in the last several years. They proved to be lengthy debates, acrimonious debates, personally vindictive debates in some cases. I notice, for example, that Senator DeCamp mistakenly described Senator Beutler's education as that of a Yale law graduate. I assume, for the nefarious innuendo of eastern education, the great threat to Nebraska values that means...this is the tip of the iceberg. We are going to have more of this if...I recall that, Senator Beutler. I know that you are a Nebraska law graduate. Senator DeCamp, has skillfully used eastern education against all kinds of...in all kinds of situations. I mean this is going to continue if we don't simply excise this amendment and go back to what was at one time a noncontroversial bill with...everybody agreed, a negotiated settlement by all parties, one that I was proud to bring in and thought might just sneak through. But I guess not. One of the difficulties that all of us have, I think in the notion of campaigning, is the fact that we are not availed of the same remedies that others have. Senator DeCamp graciously pointed out that liable and slander was available to us, and that there were these bastions of strength, if you will, things that we could rely on for support and for retribution if necessary. Nothing could be further from the truth. The New York Times v. Sullivan doctrine says we are public figures, we are public figures, our lives are open books, and people can be wrong about us as well, and that is not the basis of the remedy. What they have to have, what you have to do is prove malice, not prove error but prove malice. That is a standard that we all know is next to impossible to meet for a public figure.

PRESIDENT: One minute.

SENATOR LANDIS: When was the last time a political figure ever made and won a case of liable? We don't win them anymore. There is no restraint in public debate other than a sense of civility without this provision. I don't trust civility to serve as an adequate restraint of unfair, below-the-belt and fraudulent debate. I do think that this